Cooper, Cordts, Drescher, Elsberg, Fancher, Gates, Goodsell, Lewis, Malby, Page, Raines Saxe, Stevens Sully, Warnick, White (Republicans) and Dooling, Frawley, Orady

and Marks (Tammany).
Nozs-Ambler, Erackett, Brown, Cassidy, Cobb, Coggeshall, Davis, Fechter, Gardner, Rinnan, L'Hommedieu, McEwan, Prime and Wilcox (Republicans), and Cullen, Fitzgerald, Foley, Hasenpflug, Hawkins, Keenan, Kehoe, Martin, McCarren and Rordan

During the recess Gov. Higgins had a talk with Senator Brackett and Senator Brackett had talks with William Barnes. Jr. Chairman of the Executive Committee of the Republican State Committee, and with Col. George W. Dunn, secretary of State John F. O'Brien, Sup rintender of Prisons C. V. Collins, as the representative of Frank S. Black, and others of the anti-Odell contingent. Senator Haines and Senator Malby also had talks with Senator Brackett and with Senators Cobb. Hinman, Davis, Fechter and McEw.

Brackett and with Senators Cobb. Hilman, Davis, Fechter and McEwn.

Hight here it should be remarked that when Senator Brackett led the eight independent Republican Senators out of the Republi an caucus on Tuesday the eight made him their leader, and they agreed to oppose all of the seven Stevens bills and Senator Brackett told them he would stand by them to the end. This gave them encouragement and they were able to add to their forces, until to-day there were thirteen independent Republican Senators ready to follow Senator Brackett's leadership. But the men with whom Senator Brackett had confirmed during the recess decided that, notwithstanding their antipathy to Mr. Odell, the best Republican politics could be played by Senator Brackett changing front and supporting

lican politics could be played by Senator Brackett changing front and supporting all of the other Stevens bills.

Rumors of Senator Brackett's change were prevalent just before the Senate met after the recess, but his brother independent Republican Senators would not believe it. They were quickly dis llusioned, however. As soon as the Senate reconvened the Stevens bill fixing the price of gas to be sold the city for municipal purposes came up on final passage and the rollcall on the bill was had without debate. The bill was passed by a vote of 26 to 22, being the same as the vote on the first bill, except that Senator Brackett and Senator Brown of Oneonta changed front.

It was whispered about that Senator Brackett had told Gov. Higgins and the anti-Odell leaders that whichever way he

Brackett had fold GoV. Highis and the anti-Odell leaders that whichever way he went the majority of the other independent Republican Senators would follow. This proved to be true, for the next bill to come up, the bill to establish a State lighting commission, was passed by a vote of 28 to 20. The twenty-eight Senators who voted for the bill grown all Republicans, including The twenty-eight Senators who voted for the bill were all Republicans, including eight of the independents—Brackett, Brown, Davis, Fechter, Hinman, McEwan, Prime and Wilcox. All of the Democrats voted against the bill, and the following six in-dependent Republicans: Ambler, Cassidy, Cobb, Coggeshall, Gardner and L'Hom-medieu.

medieu.

The State commission bill was the one bill of the seven bills to which Senator Brackett had declared he was unalterably opposed, and he had agreed to vote against the other bills in order to make up a combination of sufficient strength to defeat the State commission bill. When the Demobination of sufficient strength to defeat the State commission bill. When the Democrats and independent Republicans witnessed Senator Brackett turning tail in such a short period of time they were dumfounded, and the word "quitter," was head about the chamber. To one who aske! Senator Brackett why he had changed front so quickly, he replied: "Oh, I am like a weather vane," accompanying the remark with a Bracketteeque smile.

weather vane, accompanying the remark
with a Bracketteeque smile.

In quick succession the other four bills
of the Stevens committee were passed,
but three of them were amended as indicated with Senator Stevens's consent.

The bill to enable New York city to utilize
the downers in water supplies to generate the bill to enable New York city to titlize
the domestic water supplies to generate
electric light was passed with but eight
votes against it, as I llows: Ambler, Cobb,
Cordts, Gardner, Hinman, McEwan and
Wilcox (Rep.) and McCarren (Dem.).
Only Senators Ambler, Cassidy and Hinman (Reps.) voted against the Stevens bill
giving Commissioner Oakley power to appoint inspectors to inspect and test illumnating gas.

point inspectors to inspect and test liministing gas.

The bill reducing the price of electricity in New York city to private consumers was passed by a vote of 38 to 7, viz., Ambler, Casaidy, Hinman, L'Hommedieu, Wilcox (Rep.), and Keenan and McCarren (Dem.)

The bill fixing the price of electric light to be furnished the city for municipal purposes was passed by a vote of 35 to 13.

Those who voted against the bill were Ambler, Casaidy, Gardner, Hinman, L'Hommedieu, McEwan and Wilcox (Rep.), and Cullen, Hasenflug, Hawkins, Keenan, Kahce and McCarren (Dem.)

Rence and McCarren (Dem.)
Senator Brackett had assured the Odell
triumvirs that his change of front would
insure them enough Republican votes to again take up the 80 cent consumers' gas bill for New York city, and they took him at his word

senator Raines moved that the vote by which the bill had been defeated earlier in the day be reconsidered. The motion was put without debate and carried by a vote of

put without debate and carried by a vote of 25 to 23 Senator Brackett being the only Republican to change his vote, at which the Odell triumvirs looked desolate.

It requires a majority only of a quorum to reconsider a vote by which a bill is defeated, but Senator Raines was determined, and he at once asked that the bill again be put on its final passage. This was done and the bill was defeated again by a vote of 25 to 23, Senator Brackett still being the only independent Republican to change his vote. Two defeats on final passage Two defeats on final passage

Mayor Urges Senate to Pass the Bills. Mayor McClellan sent this telegram last

night to the members of the Senate: I believe the interests of the people of the city of New York require the passage of the bills for cheaper gas and electric light, and I most earnestly urge you to sup-GEORGE B. McCLELLAN, Mayor.

New York, May 4, 1905.

NIAGARA GRAB MAY PASS. It Will Go Through if the Lobby Can Buy

the Needed Votes. ALBANY, May 4 .- The fate of the Cassidy bill, in the interest of the Niagara. Lockport and Ontario Power Company, is in doubt in the Assembly. The bill was received in the

the Assembly. The bill was received in the Assembly this morning, having passed the Benate through the change of heart of Senator Drescher of Brooklyn last evening. The bill is now in the possession of the Committee on Rules, and what that august body will do with it is a matter of speculation. If the bill is on to-morrow morning's calendar for final passage it can be taken for granted that it is slated to go through.

no secret that some members who had been opposing it were doing so simply because they had not been "properly in-duced" to support the measure. To-day the lobby that has been working so dili-

the lobby that has been working so dif-gratly in the interest of this grab got in its work, and members who have been wavering in their support have been taken into the lobby and tallyed to.

A ajority Leader Rogers says that many members on the Republican side of the chamber have told him that they could not support the bill if it did come out of the committee. Consequently, the agents of the grab are doing their work among the Democrats. It is safe to say that if seventy-six votes for the bill can be secured it will be on the calendar to-morrow. will be on the calendar to-morrow

Efforts were made to have the hill placed on the Assembly calendar for to-day, but the Rules Committee had completed the ndar before the bill had passed the

SENATE REVERSES ITSELF. The Bill Extending Rairoad Charters Is

Passed and Afterward Killed. ALBANY, May 4 .- The Senate reversed treelf in quick order to-night. It passed Senator Raines's bill extending railroad charters which are about to expire because no work has been done toward building the

Senator Marks said that the bill, in his opinion, was to revive the franchise of the Steinway tunnel under the East River.
Senator Malby moved, and his motion was carried, that the vote by which the hil was passed be reconsidered and that motion he upon the table.

Many a complicated card record and crazy filing scheme are masquerading today under the name of business system.

Library Bureau 27 salesrooms, 7 factories, 316 Broadway.

THE HOOKER REPORT ADOPTED

REPORT ON PROCEDURE TO BE MADE TO-DAY.

When This Has Been Adopted Charges Will Be Served on Justice Hooker, and if He Asks Trial by Legislature Governor Will Call Extra Session.

ALBANY, May 4 .- The plans of the Assem-

oly Judicia y committee in regard to the procedure to be pursued by the committee n formulating the charges against Supre ne Court Justice Warren B. Hooker were changed to day by the Assembly. Mr. Fish, chairman of the committee, handed in a resolution giving the committee power to sit after adjournment to-morrow and formulate the procedure and to report to the Assembly when it next convenes. This meant that when the committee was ready to make its report the Governor would call an extraordinary session of the Legislature. Minority Leader Palmer objected to anythin; so indefinite as that. He protested against the committee having the right to name the time when it should report. He said that under the resolution the committee

could report to the next Legislature and the charges could be carried along. He objected to the expense of bringing the Legislature here to receive the report and then take a recess in order to give Justice Hooker time to file his answer. A general discussion ensued concerning the procedure and what the Legislature shall do, and it was plainly evident that the majority of the members are against

an extra session of the Legislature, for

many do not care to come back to this city many do not care to come back to this city during the summer months.

As a result of the discussion an amendment offered by Assemblyman Cahn calling upon the Judiciary Committee to report the procedure in the case to the Assembly to-morrow was adopted. The committee is sitting to-night and will have the procedure outlined in time. It has gone over the matter pretty thoroughly, but it did not think it had a right to make a report on procedure under the original resolution of the Assembly.

There is no doubt that any report the

resolution of the Assembly.

There is no doubt that any report the committee makes in this respect will be adopted. After that the charges will be served on Justice Hooker, and if he demands a trial by the Legislature that fact will be communicated to the Governor, and he will convene the Legislature. and he will convene the Legislature at

The Assembly to-day adopted the resolu-tion offered by Assemblyman Fish accept-ing the recommendations of the committee ing the recommendations of the committee in regard to the charges, with the exception of the recommendation for the removal of Justice Hooker. It was thought that this latter course would prejudice the case of Justice Hooker and would commit the Assembly to his removal irrespective of the risk. of the trial.

of the trial.

The extra session will probably be held in June, and the same ground that was gone over before the grievance committee of the State Bar Association and before the Assembly Judiciary Committee will have to be gone over again.

MORTGAGE TAX BILL PASSED.

The Assembly Finally Accepts the Amended Bill Passed by the Senate.

ALBANY, May 4.-Had it not been for the fact that the members were informed that, unless the amended mortgage tax bill passed the Assembly to-day Gov. Higgins would sign the bill now in his possession, the Senate bill which passed the upper house yesterday would have been defeated in the Assembly to-day.

As it was, the leaders had great difficulty in getting the Republican members in line, and at one time it looked as if the amended bill would be defeated. It was finally passed by a vote of 88 to 60.

These Republicans voted against the amended bill: Agnew, Beibilf, Etzel, Herman and Prentice of New York; Francisco, man and Prentice of New 107K; Francisco,
Murphy, Pendry and Perry of Brooklyn;
Miller of Queens; Rigby and Wainwright of
Westchester and Reeve of Suffolk.

The Lewis amended bill exempts building and loan associations from the operation of the mortgage tax.

Assemblyman Wainwright led the opposition and offered two amendments. The

Assemblyman Wainwright led the opposition and offered two amendments. The first was defeated by a vote of 70 to 79, and the second by 58 to 82.

Assemblyman Hartman read the Governor a lecture for interfering with the prerogatives of the Legislature and said re were three branches of State Government—executive, legislative and judicia— and the Governor was trying to take the first two to himself. He said it was not for the Governor to say what legislation should be enacted before it reached him

Assemblyman Wade, who is looked upon as the personal representative of Gov. Higgins in the lower house, said that if the amended bill was not passed the Governor would sign the one that is now before

The Assembly also passed a bill providing for the appointment of a commission to inquire into the subject of taxation for State and local purposes and the expeci-ency of revising and amending the existing

UP TO THE GOVERNOR NOW.

Assembly Passes Bills Stripping the Alder-

men of Power to Grant Franchises. ALBANY May 4 .- It is now up to Gov. Higgins to say whether or not the Board of Aldermen of New York city shall be stripped of all its powers in the matter of granting franchises. The Assembly, by a vote of 94 to 51, to-day passed over Mayor McClellan's veto the three bills of Senator Elsberg placing that power in the Board

of Estimate and Apportionment. These Republicans voted to sustain the Mayor in his position: Assemblymen Dowling, Francisco, O'Neil, Pendry and erry of Kings, Prentice of New York and F. C. Wood of Gloversville. Assembly man Fuller (Dem. Kings), who voted riginally for the passage of the bills,

changed his position.

Ar. Wood declared that while he had voted for the bills when they came up for passage he thought the people of New York city two years ago had by their votes determined upon whom they wanted to govern them, and that if they were dissatisfied and had made an error in choosing their declarate this medican. changed his position. istrative officers it was for them to

ecide at the polls.

Mr. Prentice declared that the placing of uch powers in the hands of eight men might lead up to gresser abuses than those the people now had to undergo, and he for one was opposed to making any such change in

power.

In explaining his change of heart Mr.
Fuller declared that the explanation of the
Mayor in regard to the threat of the Pennsyload was sufficient for him. He

"We will accomplish a good deal if we can teach this corporation that it cannot core up here and dictate to us what kind of legislation we shall pass."

The bills now go to the Governor for his

STATE LIGHTING COMMISSION.

BILL CREATING IT PASSED BY THE LEGISLATURE.

This City, if the Bill Becomes a Law, Will Be at the Mercy of Two State Commissions, the State Water Commission Having Been Created by a Previous Act.

ALBANY, May 4 .- After the State Senate to-day had disposed of the bills introduced by the Stevens New York city lighting investigating committee and passed all but the consumers' gas :ate reduction bill, it developed that the bill which the Republican leaders were most anxious to have enacted into law was the one creating a State commission of gas and elec-tricity, with power to regulate the price of gas and electric light and power, and to provide for the control and supervision of gas, electric light and power corporations.

If this bill only had passed the Republican leaders would have been perfectly satisfied, as it gives the State commission not only power to regulate and fix the price of electricity and gas in every city, village and town in the State, but gives it power to enforce any order it may make through mandamus proceedings in the Supreme

The commission is to be composed of three members, to be appointed by the Governor, one to serve for two years, one for four years and one for six years from the first of June, 1905. Each commissioner is to receive a salary of \$8,000, and the commission may appoint such officers, clerks, inspectors, experts and employees as it deems necessary. The commission's main office is to be in the Capitol at Albany, where it must meet once a month, and it is to have a branch office in New York and also one in Buffalo The commission is to fix the salaries of its employees and the commissioners and employees are to be allowed \$500 a month for expenses

The commission is authorized to investigate and ascertain the quality of gas supplied and the operations of persons, corporations and municipalities in supplying gas and electricity for light, heat and power or in transmitting the same, and may order such improvements as will best promote public interests, preserve the public health and protect those using gas and electricity.

The commission may fix the standard of power and purity of gas and establish a standard of pressure at which gas shall be delivered. It may prescribe methods of keeping accounts and books by gas and electric corporations and will have supervision of the power companies at Niagara Falls and other places. It may require each corporation to file an annual report in detail, showing all of its financial operations for the year and has power to examine the books and affairs of any corporation pertaining to the affairs being investigated by it.

witnesses and take testimony. It is authorized to supervise the inspection of gas and electric meters by any State or munici-pal officer, and may adopt rules to govern such tests and see that these officers do neir duty. It may appoint an inspector

of electric meters.

Hereafter no gas or electric light or power company incorporated after this bill becomes a law shall transact business within this State until it obtains a certificate of authority from the State commission. Nor shall a municipality establish a municipal lighting plant without the consent of the commission. This would apply to the commission. This would apply to Mayor McClellan's municipal lighting plant in connection with the Ulster county water supply. This places New York city at the complete mercy of two State commissions. The State Water Commission will have jurisdiction of the water supply to be secured in Ulster county and the Gas and Electricity Commission, will supervise the

Electricity Commission will supervise the generating of power from the supply.

No gas or electric light corporations hereafter incorporated shall issue any stock or bonds without the approval of the commission, and no existing corporation shall increase its central stock or bonded indult. increase its capital stock or bonded indebt-edness without such consent. A gas or electric corporation shall not transfer or lease its franchise or plant, nor acquire the stock or bonds of any other corporation engaged in a like business without the comon's consent.

Appeals from the decision of the commission may be made to the Appellate Division, which may order the commission to reverse its decision upon review. Upon the complaint of the Mayor of the city, the trustees of a village or the town board of a town, or of 100 customers of a lighting corporation, either as to the power, purity, pressure or price of gas or electricity, the pressure or price of gas or electricity, the commission shall investigate such complaints and have a public hearing thereon. Thereafter the commission may fix the maximum price of gas or electricity which shall be charged and may order such improvements in manufacture, distribution or sweet of such electricity, as will in its or supply of such electricity as will in its judgment improve the service. The price fixed by the commission shall be the maximum price for a term of three years. The mandamus section of the bill provides:

mandamus section of the bill provides:

An order made by the commission, as in this act provided, or, in case of an appeal from an order the order is affirmed or modified, the order made on such appeal may be enforced by writ of mandamus. The commission or any person, corporation or municipality interested in the enforcement of such order may apply to the Supreme Court, at a special term thereof, for a writ of mandamus to compel compliance with such order. Upon proof that the said order has been duly made as in this act provided, and has not been complied with, after notice of the making thereof, to the person or corporation affected thereby, the Supreme Court may issue a writ of mandamus to enforce the provisions of said order.

The bill now goes to Gov. Higgins for his

The bill now goes to Gov. Higgins for his

MAY NOT CHANGE MAYOR'S TERM. Assemblyman Agnew's Bill Probably Killed in the Senate.

ALBANY, May 4.- Assemblyman Agnew's bill to extend the term of the Mayor of New York city from two to four years was probably killed in the Senate to-night. The bill passed last week, but as Senator Elsberg was absent a motion to reconsider the vote by which the bill passed was tabled in order to give that Senator a chance to explain his position on the bill.

explain his position on the bill.

To-night a motion to reconsider the vote
by which the bill was tabled resulted in a tie
vote of 22 to 22. These Republicans voted
with the Democrats to reconsider: Ambler,
Carpenter, Elsberg, Gates, Goodsell, Malby,
Page, Raines, Saxe and White.

HIERARCHY IN CONFERENCE.

The Care of Immigrants of the Catholic Faith Considered.

WASHINGTON, May 4 .- The hierarchy of the Catholic Church, which is composed of the fourteen Archbishops, held their of the fourteen Archoishops, held their conference at the Catholic University to-day. The care of immigrants of the Catholic faith consumed part of the time of the two sessions to-day. The Pope has exhorted the prelates of this country to make renewed efforts in behalf of poor Catholics of Italian and Slav races.

The innovation in regard to the collection of Peter's Pence does not seem to meet

tion of Peter's Pence does not seem to meet with favor and it is likely that the old method will be adhered to.

To-morrow the Indian and negro missions will be held at the niversity, and the Rev. William Ketcham, the director of the Catholic Indian Bureau, will present his report. It was decided to-day that no statement regarding the financial condi-tion of the university will be made until the first of June.

tion of the unive Killed By Trolley Car.

James Atkinson, a brushmaker, of 1258 Herkimer street, East New York, was killed last night by a Fulton street car near Hopkinson avenue. John Piggott of 119 Chester street, the motorman of the car was locked up in the Brownsville police station

PENNSYLVANIA RAILROAD TOURS

CANADIAN ROCKIES, LEWIS & CLARK EXPOSITION VELLOWSTONE PARK

JULY 3 to JULY 26. Account of American Medical Association Convention at Portland, Ore. Special Pullman Train. Rate, \$215. All expenses except hotel accommodations in Portland.

DENVER, COLO.

WASHINGTON

JULY 3. Account of Epworth League International Convention.

Rate from New York, \$63.50. Special Pullman Train going. Tickets good to return on regular trains until July 14; and until August 8 upon payment of fifty cents.

OLD POINT COMFORT, RICHMOND, WASHINGTON MAY 6. Six-Day Outing. Last of the season. Rute from New York, \$36. All necessary expenses OLD POINT COMPORT only, one and three-fourths days' board, \$17.

MAY 18. Three-Day Trip. Last of the season.
Rate from New York, \$12.00 or \$14.50, according to hotel selected. All necessary expenses.

GETTYSBURG AND WASHINGTON MAY 27 to JUNE 1. Attractive Spring Tour. Rate from New York, \$22. All necessary expenses. For detailed Itineraries and full information apply to C. Studds, Eastern Passenger Agent, 263 Fifth Avenue, New York, Pennsylvania Railroad Ticket Agents, or

GEO. W. BOYD, General Passenger Agent, Broad Street Station, Philadelphia, Pa.

J. R. WOOD, Passenger Traffic Manager.

WATCH OUT FOR GRAB BILLS.

RULES COMMITTEE HAS AN INNO-CENT CALENDAR FOR TO-DAY.

But It Has the Habit of Springing a Supplementary Calendar in the Last Hours of the Session and the Desk Simply Reads the Titles of the Bills.

ALBANY, May 4.-There is every promise of the unexpected happening at to-morrow's session of the Assembly. As usual the Rules Committee has a number of bills in its possession which are very much desired by some private interests, while the public interests are opposed to them. The Rules Committee has made up its calendar for to-morrow's session and there is nothing of a suspicious nature in the list of bills on But when that calendar is disposed of and the members are in a happy frame of mind the Rules Committee has a habit of having a session in Speaker Nixon's room. When it comes back to the chamber it has another calendar of bilis, and only members of the committee know what the bills, are, for the calendar is not printed. The desk simply reads off the titles of the bills and unless some one is watching intently something goes through which should

The interests that are behind the Niagara, Lockport and Ontario Power Company bill are stirring every power they can to get the Cassidy bill on the calendar for to-morrow. The bill was received in the Assembly this morning, having passed the Senate last evening. This is a similar bill to the Leggett measure which has been slumbering in the Rules Committee for over a week, having been sent there by its in-troducer. Many Republican members of the Assembly went to Speaker Nixon and Majority Leader Rogers to-day and in-formed them that they could not support the bill. Consequently the bill is not on the calendar for to-morrow, but it is just as likely as not to come out to-morrow on a supplementary report of the Rules Committee, providing there are enough votes to pass it. If it is reported it is almost a certainty that it will be passed.

Then there are several ratiroad bills that are in the possession of the Rules Committee. Two are Senator Goodsell's, in the interests of the Belmont syndicate, au-thorizing the abandonment of unprofitable routes in The Bronx section, and also for the utilization of the Steinway tunnel franchise under the East River. Majority Leader Rogers had these bills sent to the Rules Committee yesterday, and it was expected that they would come out to-day, but they did not, and the fact that they are not on the calendar for to-morrow is

surprising.
A bill of Senator Raines's was on the A bill of Senator Names was on the calendar for passage to-day, but so strenuous was the opposition of Assemblymen Wainwright and Rigby of Westchester that it was put over until to-morrow. The bill is supposed to be in the interests of the New Haven railroad, to authorize it to build a spur or connecting railroad from Williams-bridge to Mount Vernon. Neither Westbridge to Mount Vernon. Neither Westchester county member knew of the exist-ence of the bill, nor whether their constituents wanted it.

RAPID TRANSIT BILL BLOCKED Senator Elsberg Prevents Its Passage as Amended by the Assembly.

ALBANY, May 4.-Senator Elsberg tonight prevented the passage by the Senate of the New York City Rapid Transit Commission bill, providing for future tunnels and the amount of bonds of the contractors. as amended by the Assembly. Senator Gardner (Rep., Brooklyn) introduced this bill in the Senate, where it was passed in its original form and provided for pipe galleries in the subways, but when it came back from the Assembly to-night it was iscovered that the pipe gallery provision

was eliminated. Senator Elsberg charged bad faith on the part of some one, saying that a sacred agreement had been violated in regard to this bill. He asked that a conference committee be appointed to consider the matter and to try to restore the pipe gal-lery provision to the bill and in that form

ass the Assembly to-morrow Senators Gardner and McCarren pro-tested against this. Senator Gardner said he had received a letter from George L. Rives, attorney for the commission, saying that while he regretted the elimination of this provision from the bill, st ll rather han not get any legislation, the commis-tion would take the bill in its amended

Senator Elsberg's motion to non-concur

and for a conference committee was car-ried by a vote of 30 to 5. Senator Cooper made an unsuccessful effort in the Senate to-night to suspend the rules to pass Assemblyman Prentice's committee of nine police bill for New York city. The motion to suspend was declared lost, as only twenty-four Senators voted for

as only twenty-four Senators voted for suspension to twenty-one against. Lieut-Gov. Bruce held that twenty-six votes were required to suspend the rules.

Senator Grady prevented Senator Elsberg from suspending the rules to pass out of its order Assemblyman Prentice's bill giving Street Cleaning Commissioner Woodbury authority to sand and sprinkle New York city streets. Senator Grady declared that the bill was in the interests of the Skinner flushing machine. Senator of the Skinner flushing machine. Senator Elsberg's motion was lost by a vote of

Although Senator Ambler had taken Although Senator Ambier had taken the precaution to get an emergency message from Gov. Higgins to pass his bill putting into effect at once the City Club amendments to the Raines law, designed to put fake Raines law hotels out of business this year, he will have to get another message to-morrow. Senator Grady succeeded in getting an amendment adopted this ways the keeper of a fake hotel thirty. which gave the keeper of a fake hotel thirry days instead of ten days to get out of busi-ness. This made the emergency message

Judge Magoon's Successor. WASHINGTON, May 4 .- Secretary Taft

to-day announced the selection of Paul Charlton of Omaha as law officer of the Bureau of In-ular Affairs of the War Department to succeed Judge Charles E. Mago n, who has been appointed Governor of the Panama Canal Zone. The salary of the office is \$4,500 a year. Mr. Charlton graduated from Yale in 1878 with Secretary

RULES OUT MOVING PLATFORM. The Rapid Transit Board Helps the Metro-

The Rapid Transit Commission at its meeting yesterday ordered Acting Chief Engineer Rice to approve of no further requisitions for money from the Interborough company for the construction of the Brooklyn tunnel until Joralemon street has been restored to its normal condition. When Andrew Onderdonk secured the

sub-contract for the Brooklyn section he got permission to sink a shaft in Jora emon street for hoisting dirt and promised that it should be closed up within nine months. That was two years ago and the shaft is still open, although the excavation work of that part of the subway has been completed.

For months the contractor has assured the Commissioners that the shaft would be closed within a week or two, but it is still there. Yesterday the commission decided to stop dilly-dallying. Up to April 1, \$949,034 had been paid to the Interborough company, and next week another payment amounting to about \$50,000 will be due. In executive session as a committee of

the whole the commission yesterday decided to reject the scheme for a moving platform under Thirty-fourth street. Only one member voted for the platform subway, and that presumably was John Claffin, who has shown himself to be favorably inclined

The board will give the Schmidt & Gallatin syndicate, the owners of the moving platform patents, leave to apply for a franchise in some other street, but the feeling on the part of a majority of the board seems to be strong against the scheme. In place of the moving platform the com-mission decided to map out a four track railroad under Thirty-fourth street from

Third avenue to Seventh, where it will tap the new Pennsylvania terminal. They will permit the successful bidders for the route to continue it to the North River and on the East Side to the Thirty-fourth street ferry. This action is really in favor of the detropolitan interests.

Of the three hundred or more trees which Of the three hundred or more trees which the contractor for the subway under the Boulevard planted on that avenue to re-place the trees which were removed only about half a dozen are now alive. The commission has been advised by an expert that most of the trees were half dead when they were set out. Under the terms of were set out. Under the terms of

he contract the Interborough is compelled o leave the Boulevard in the condition it ound it. The commission adopted yesterday a resolution calling upon the company to remove the dead trees and substitute While it was in session as a committee the board drew up a final report, which will be presented to next week's meeting of the commission, recommending the adoption of the routes which have been mapped

NEW RED CROSS OFFICERS.

Organizers of State Branch Meet-Col. Sanger Made President. The organizers of the New York State oranch of the American National Red Cross held their first meeting at the home of Whitelaw Reid, 451 Madison avenue, yes-

terday afternoon, and unanimously elected these officers: President, Col. William Cary Sanger, ex-Assistant Secretary of War; vice-president, Elihu Root, ex-Secretary of War; secretary, Mrs. William K. Draper; treas-

urer, Jacob H. Schiff. Mr. Root rose and nominated Cleveland H. Dodge as chairman of the executive committee. But Mr. Dodge declined, declaring that there was no executive committee and he could not, therefore, serve. Disregarding his refusal, Senator Depew seconded the motion, and the vote was taken, electing Mr. Dodge.

In the absence of Surgeon-General Van Revpen (retired), chairman of the central committee of the organization, Miss Mabel . Boardman, a member of the committee gave the address of the meeting and told the purpose of organizing the State

She explained that in the new articles of incorporation, State and Territorial branches must be organized as soon as possible, and that these branches must in their turn organize sub-branches, so that it will be like a great army with divisions into State militias, composed of o panies organized throughout the State. com-"All accounts are audited in the War Office and authority is vested in too many persons to have a repetition of the confusion that existed before reorganization

that existed before reorganization.

Among those present were Spencer Trask, Cleveland H. Dodge, Mrs. W. S. Cowlee, Dr. and Mrs. William K. Draper, Dr William M. Polk, Dean Laura D. Gill, Mrs. Cuyler, D. O. Mills, Mr. and Mrs. Percy R. Pyne. Mrs. Heber. Reginald Bishop, Mr. and Mrs. Elihu Root, Edwin Morgan, Mayor and Mrs. George B. McClellan, Mrs. Whitelaw Reid, George Boldt, Mrs. Paul Dana, Mrs. Henry G. Marquand, Jr. Miss Martha L. Draper, Mrs. Charles B. Alexander, Mr. and Mrs. Douglas Robinson, Mr. and Mrs. Bayard Cutting, John L. Cadwal der, Mrs. William Church Osborn, Senator and Mrs. Chauncey M. Depew and Mrs. Franklin Roosevelt.

Supt. Hadley Ill.

Samuel H. Hadley, superintendent of the old McAuley Mission in Water street, is ill in the Presbyterian Hospital. His condition is not considered to be serious.

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AFTER BEEF AND OTHER TRUSTS.

Interstate Commission Going to Chicago to Complete Its Investigation.

Washington, May 4 .- All the members the Interstate Commerce Commission will leave Washington for Chicago on Saturday to conduct an investigation into the operations of the private car lines of the steel, the harvester, the beef and other combinations of this kind, as well as into the relations of the trunk lines to the industrial lines and the question of terminal charges. Prosecutions of many of these gigantic trusts and several railroads are expected as the outcome of this investigation, which will be conducted not only with a view to reaching some satisfactory solution of the question, but to get information and evidence with which to enable the commission to inaugurate prosecutions of the private car lines for accepting rebates and the trunk railroad lines for granting

It is alleged that much damaging evidence is already in the hands of the commission, on which to base prosecutions but before turning the matter over to the Department of Justice for action the commission desired to make a further inquiry. The members of the commission express confidence that strong cases have been made out against the alleged offenders, and the investigation which will begin on Monday is not for the purpose of bolstering up their case, but to give those who have violated the law an opportunity to remedy the evils complained of, and possibly save

themselves from prosecution.

The commissioners are of the opinion that the railroads should own their own refrigeration cars, and under the present

system there has grown up a monopoly in the handling of fruit. Another question to be investigated will be the exclusive contracts entered into bebe the exclusive contracts entered into be-tween the private car lines and the trunk line railroads. It has been held by the commission that these private car lines are common carriers and that they should be required to publish their schedule of rates. The commission has declared officially that they charge any rate they pleaso, and in doing so have violated the Elkins anti-rebate law and have made themselves liable to heavy penalties. liable to heavy penalties.

Col. Charles H. Sheppard died suddenly in Middletown, N.Y., yesterday, in his seventieth year. He was born in this city, enlisted in the New York Mounted Rifles as private in 1862 and rose rapidly until he had charge of a large commissary depot on the Appomattox River under Gen. Grant. At the close of the war he became Second Lieutenant in the Regular Army, and served in Arizona, Colorado, Wyoming and California until 1871, when he retired to private life. Col. Sheppard mar-ried Miss Emily Lawrence, daughter of John

ried Miss Emily Lawrence, daughter of John W. Lawrence, former president of the Seventh National Bank of this city. He leaves a widow and one son.

Major Ralph Dunning, U. S. A. retired, died yesterday morning at the home of his niece, Mrs. Winfield, 47 Halsey street, Brooklyn, in his ninety-fourth year. During the Presidency of Andrew Jackson, Major Dunning went into the engineering department of the army under Gen. Mansfield, and built many coast fortifications. His last station was at Washington, D. C. He retired from the army twenty-five years ago. His wife died many years ago. They had no children.

wife died many years ago. They had no children.

Burton A. Baker, editor and publisher, died suddenly, yesterday, of heart disease in the restaurant connected with the Elks Club of Gloversville, N. V. Mr. Baker, who was 30 years old, founded last year the three publications—the Glove Club's Press, the Amsterdam Press and the Mohawk Valley Press of Schnectady. The papers, which were edited and published by Mr. Baker, attained a great popularity. Mr. Baker's death, it is thought, was due to overwork.

Patrick O'Hara, one of the oldest and best Patrick O'Hara, one of the oldest and best known residents of the Gowanus district Brooklyn, died yesterday at his home, 225 Sixteenth street, in his eighty-fourth year, Sixteenth street, in his eighty-fourth year, He was an excavating contractor and dimost of the work in digging away the old hills of Gowanus. He is survived by his wife, three sons, one being the Rev. Father John O'Hara, and two daughters. Mrs. Ellen J. Creamer, widew of Dr. Joseph reamer and mother of former Sheriff Frank D. Creamer of Brooklyn, died on Wednesday at her home, 259 Eighteath street, is seventy-fifth year. She had been acti Catholic Church work and charities. S survived by five children.

OFFICE FURNITURE

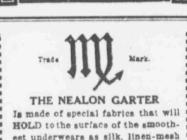
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DIED.

ANDROVETTE .- On Wednesday, May \$, Cornelius C. Androvette, in his 88th year. Funeral services at his late residence, Huguenot.

Staten Island, Priday, May 5, at 7:45 P. M. Interment Moravian Cemetery, New Dorp. Staten Island, at convenience of family. Train boat leaving New York at 6:15 P. M., connecting. Plainfield, N. J., papers please copy. CILLEY.-On May 8, 1905, Alice L. Cilley, daughter

of the late Joseph Longfellow and Lavinia Kelly Cilley of Exeter, N. H., at the residence of her sister, Mrs. John F. Russell, 21 West 11th st., New York. Burlal at Exeter, N. H. CISSEL.—On Tuesday, May 2, at Elizabeth, N. J., Bichard S. I. Cissel, in the 82d year of his age.

Funeral services on Friday morning, May 5, at 10:30 o'clock, at his late residence. Washington, D. C., papers please copy. KING.—On Wednesday, May 3, 1903, at her residence, 991 Fifth av., Mary Augusta, wife of the late Edward King of Newport, R. I., and daughter of the late Daniel Le Roy of New

York. uneral services at the Church of the Incarnation Madison av. and 35th st., on Saturday, May & at 11 o'clock. Interment at Newport, R. MORGAN. - Wednesday, May 8, 1905, Harry, be-

loved husband of Lilly E. Morgan.
Funeral services at residence, 106 West 130th
st., on Friday evening at 8 o'clock. Funeral as convenience of family. HOLS .- At Southeast, Putnam county, New York, May 4. Benjamin O. Nichols, in the 74th

year of his age. Puneral services at his late residence on Satur-day, May 6, at 1 P. M. UIGLEY.—On Wednesday, May 8, 1905, Mary T., wife of James F. Quigley, and daughter of Ellen and the late George Davidson.

Puneral Saturday, May 6, 1905, at 9:30 A. M., from her late residence, 51 Linden st., Brock-lyn. Solemn mass of require at m A M., Church of Our Lady of Good Counsel, Putnam near Ralph av.

ROCKWELL .- Edwin R., May 3, 1905, at his realdence, 172 East 128th st. Funeral at 2 o'clock P. M., Friday, May 5.

VAN NOSTRAND .- At the Waldorf Astoria, suddenly, of pneumonia. Friday morning, April 21, 1906, Sadie G., wife of Alonzo G. Van Nostrand, of Boston, Mass. Boston papers please copy.

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